

PTO  
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Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. <b>65003/P001LS /10308058</b>
		First Inventor <b>Ajay R Bam</b>
		Title <b>SYSTEM AND METHOD OF INTEGRATING LOYALTY REWARD PROGRAMS WITH PAYMENT IDENTIFICATION SYSTEMS</b>
		Express Mail Label No. <b>EV256034969US</b>

<b>APPLICATION ELEMENTS</b>	
See MPEP chapter 600 concerning utility patent application contents.	

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages **27**]   
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]
5. Oath or Declaration [Total Pages **4**]   
 a.  Newly executed (original or copy)
   
 b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  
 i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

Patent Application  
ADDRESS TO: Commissioner for Patents

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  
(when there is an assignee)  Power of Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label				or <input checked="" type="checkbox"/> Correspondence address below
Name	FULBRIGHT & JAWORSKI L.L.P. <i>David H. Tannenbaum</i>			
Address	2200 Ross Avenue, Suite 2800			
City	Dallas	State	TX	Zip Code
Country	US	Telephone	(214) 855-81	Fax (214) 855-8200
Name (Print/Type)	<i>David H. Tannenbaum</i>		Registration No. (Attorney/Agent)	24,745
Signature	<i>[Signature]</i>		Date	August 22, 2003

**Transmittal-New Utility Patent Application**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No: EV256034969US  
an envelope addressed to: US Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Dated: August 22, 2003

Signature: *Susan Mercedes* (Susan Mercedes)

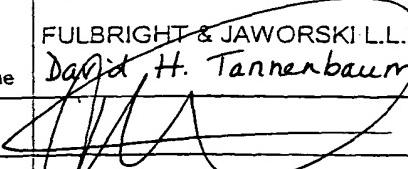
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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	Not yet assigned
		Filing Date	August 22, 2003
		First Named Inventor	Ajay R. Bam
		Group Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	9	Attorney Docket Number	65003/P001US/10308058

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below)</i>  Recordation Form Cover Sheet; Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	FULBRIGHT & JAWORSKI L.L.P. <i>David H. Tannenbaum</i>
Signature	
Date	August 22, 2003

Transmittal I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No. EV256034972US to: MS Assignment Recopration Services, Director of the US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450 Dated: August 22, 2003	
Signature: <i>Susan Mercedes</i> (Susan Mercedes)	

14202 U.S. PTO  
08/22/03

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 993.00)

## Complete if Known

Application Number	Not yet Assigned
Filing Date	August 22, 2003
First Named Inventor	Ajay R. Bam
Examiner Name	Not Yet Assigned
Group Art Unit	Not yet Assigned
Attorney Docket No.	65003/P001US/10308058

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

### Deposit Account

Deposit Account Number 06-2380

Deposit Account Name Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

#### Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	375.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 375.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	56	-20** = 36 x 9 = 324.00	
Independent Claims	10	-3** = 7 x 42 = 294.00	
Multiple Dependent			—

#### Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 618.00)

\* or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

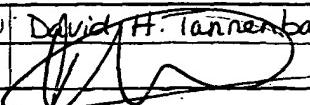
Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

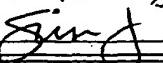
SUBTOTAL (3) (\$)

## Complete (if applicable)

SUBMITTED BY	Complete (if applicable)		
Name (Print/Type)	David H. Lannenbaum	Registration No. (Attorney/Agent)	24,745 Telephone (214) 855-8333
Signature			
	Date	August 22, 2003	

## Fee Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No.: EV256034969US to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: August 22, 2003 Signature:  (Susan Mercedes)

Attorney Docket No.: 65003/P001US/10308058

Reference No.:

Inventor: Ajay R. Bam, et al.

Application No.:

Filing Date: Aug. 22, 2003

Title: SYSTEM AND METHOD OF INTEGRATING LOYALTY/REWARD  
WITH PAYMENT IDENTIFICATION SYSTEMS

Documents Filed:

Transmittal (1 page)

Fee Transmittal (1 page)

Check in the amount of \$40.00

Recordation Form Cover Sheet with Assignment Papers (7 pages)

Return Postcard

Via: Express Mail No. EV 256034972US

Senders Initials: DHT/sb/sm

Date: August 22, 2003

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

- In re application of Applicant or Patentee: Ajay R. Bam, et al.
- Docket No.: 65003-P001US-10308058
- Filed on: Concurrently Herewith

Title: SYSTEM AND METHOD INTEGRATING LOYALTY/REWARD PROGRAMS  
WITH PAYMENT IDENTIFICATION SYSTEMS

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(B)--SMALL BUSINESS CONCERN)**

I hereby state that I am

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern

Vayusa, Inc.

Address of Small Business Concern

61 Chapel Street

Newton, Massachusetts 02458

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

- the specification filed \_\_\_\_\_, with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each such person, concern or organization having any rights in the invention is listed below:

- No such person, concern, or organization exists.
- Each such person, concern or organization is listed below.

Name \_\_\_\_\_  
Address \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: \_\_\_\_\_ Ajay R. Bam \_\_\_\_\_  
Title of Person if Other Than Owner: \_\_\_\_\_ Founder and Director of Information Systems  
Address of Person Signing: \_\_\_\_\_ Vayusa, Inc.  
61 Chapel Street  
Newton, Massachusetts 02458

SIGNATURE: 

Date: 18th August, 2003

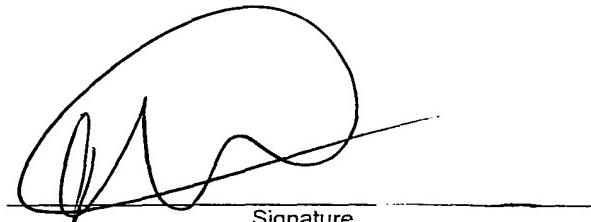
<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	<i>Ajay R. Bam</i>
	Title	<b>SYSTEM AND METHOD OF INTEGRATING LOYALTY/REWARD PROGRAMS WITH PAYMENT IDENTIFICATION SYSTEMS</b>
	Attorney Docket No.	<b>65003/P001US/10308058</b>

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 22, 2003

Date



Signature

David H. Tannenbaum

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

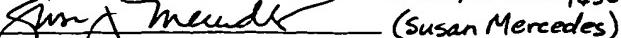
Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently submits an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Nonpublication Request**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. E0256034969US  
an envelope addressed to: **MS Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450**

Dated: August 22, 2003

Signature:  (Susan Mercedes)

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Ajay R. Bam, et al.

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: **SYSTEM AND METHOD OF INTEGRATING LOYALTY/REWARD PROGRAMS WITH PAYMENT IDENTIFICATION SYSTEMS**

Vayusa, Inc.

, a

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

**OR**

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8-18-2003

Date

(781) 710-1534

Telephone Number

Ajay R. Bam

Typed or printed name

Signature

Founder and Director of Information Systems for Vayusa, Inc.

Title